

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:16-CR-00088-BR

UNITED STATES OF AMERICA

v.

BILLIE RAY JOHNSON

ORDER

This matter is before the court on defendant's letter filed 19 June 2020 requesting termination of his term of supervised release. (DE # 100.) The government filed a response. (DE # 102.)

The court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7)—
(1) terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice[.]

18 U.S.C. § 3583(e).

Defendant has served nearly two years of a four-year term of supervised release. Defendant states that he has abided by all conditions of his supervision, including urinalysis testing, counseling, and maintaining employment. (DE # 100.) He “take[s his] sobriety very seriously,” recently celebrating eight years of being “clean and sober.” (Id.) The government opposes defendant's request, citing the nature and circumstances of the offense and defendant's criminal history. (DE # 102, at 4.) It notes that the United States Probation Office does not recommend early termination at this time. (Id. at 4 n.1.)

The court commends defendant for being compliant with the terms of his supervised release and congratulates him on his continued sobriety. However, considering the record in this

case, particularly the opinion of the United States Probation Office, the court finds that the interest of justice would not be served by the early termination of defendant's supervised release now. Defendant's motion is DENIED WITHOUT PREJUDICE to renewal of the request.

This 10 July 2020.

A handwritten signature in green ink, appearing to read "W. Earl Britt", is positioned above a horizontal line.

W. Earl Britt
Senior U.S. District Judge